

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA**

THERON KENNETH HOLSTON,
Plaintiff,
v.
GARCIA,
Defendant.

No. 2:20-CV-2466-DJC-DMC-P

ORDER

Plaintiff, who is proceeding pro se, brings this civil rights action under 42 U.S.C. § 1983. Pending before the Court is Plaintiff's renewed motion, ECF No. 81, for access to the Court's electronic filing system (PACER). Also before the Court is Plaintiff's motion, ECF No. 91, for issuance of a subpoena duces tecum for personnel records from non-party El Dorado County Sheriff's Office.

In his motion for PACER access, Plaintiff states that he is a former prisoner and asks that he be permitted to file electronically through the Court's PACER system. As with his prior motion, As required under the Court's local rules, Plaintiff must demonstrate access to a computer or related technology for reliable electronic filing and electronic notice of filings by opposing counsel. Plaintiff has failed to make the required showing of such reliable computer access, and on that basis his request will be denied.

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2 In his motion for issuance of a subpoena duces tecum, Plaintiff seeks an order
3 directing the United States Marshal to serve a subpoena on non-party El Dorado County Sheriff's
4 Office for production of personnel records related to Defendant Garcia. Plaintiff's motion, which
5 was filed on June 14, 2024, will be denied as untimely because discovery closed on January 23,
6 2023. See ECF No. 35 (discovery and scheduling order).

7 Defendant's pending motion for summary judgment, ECF No. 55, will be
8 addressed by separate findings and recommendations.

9 Accordingly, IT IS HEREBY ORDERED as follows:

10 1. Plaintiff's renewed motion for access to the Court's PACER system, ECF
11 No. 81, is DENIED.

12 2. Plaintiff's motion for issuance and service of a subpoena duces tecum, ECF
13 No. 91, is DENIED as untimely.

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15 Dated: October 4, 2024



16 DENNIS M. COTA
17 UNITED STATES MAGISTRATE JUDGE
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